(JTLx), CLOSED, DISCOVERY, MANADR, RELATED-G, STAYED

06CV4643 (RJH)

U.S. District Court
CENTRAL DISTRICT OF CALIFORNIA (Western Division - Los Angeles)
CIVIL DOCKET FOR CASE #: 2:06-cv-01030-RSWL-JTL
Internal Use Only

Garrett Hauenstein et al v. James Frey et al
Assigned to: Judge Ronald S.W. Lew
Referred to: Magistrate Judge Jennifer T. Lum
Demand: $5,000,000
Related Case: 2:06-cv-01029-RSWL-JTL
Case in other court: Los Angeles County Superior Court, BC 346567
Cause: 28:1446 Notice of Removal

Date Filed: 02/21/2006
Jury Demand: Plaintiff
Nature of Suit: 890 Other Statutory Actions
Jurisdiction: Federal Question

U.S. DISTRICT COURT FILED AUG 10 2006 S.D. OF N.Y.

Hauenstein v. Frey

Doc. 3

6/29/06
...ereby attest and ... that the foregoing ... correct copy of the ... office, and in ...

Plaintiff

Garrett Hauenstein
as individually and on behalf of a class of those similarly situated

represented by **Amy M Boomhouwer**
Gancedo and Nieves
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Plaintiff

Jean Taylor
as individually and on behalf of a class of those similarly situated

represented by **Amy M Boomhouwer**
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V.

Defendant

James Frey	represented by	**Matthew X Oster** McDermott Will and Emery 2049 Century Park East, 34th Floor Los Angeles, CA 90067-3208 310-277-4110 *LEAD ATTORNEY* *ATTORNEY TO BE NOTICED*

Defendant

Big Jim Industries Inc	represented by	**Matthew X Oster** (See above for address) *LEAD ATTORNEY* *ATTORNEY TO BE NOTICED*

Defendant

Random House Inc	represented by	**Jennifer A Ratner** Sidley Austin 555 West 5th Street, Suite 4000 Los Angeles, CA 90013-1010 213-896-6000 Email: jratner@sidley.com *LEAD ATTORNEY* *ATTORNEY TO BE NOTICED* **Marissa J Reich** Sidley Austin One South Dearborn Street Chicago, IL 60603 US 312-853-7000 *LEAD ATTORNEY* *ATTORNEY TO BE NOTICED* **Mark B Blocker** Sidley Austin One South Dearborn Street Chicago, IL 60603 312-853-7000 *LEAD ATTORNEY* *ATTORNEY TO BE NOTICED* **Michael C Andolina** Sidley Austin One South Dearborn Street Chicago, IL 60603 US 312-853-7000 *LEAD ATTORNEY* *ATTORNEY TO BE NOTICED*

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Defendant

Does
1-50 inclusive

Date Filed	#	Docket Text
02/21/2006	1	NOTICE OF REMOVAL from Los Angeles County Superior Court, Central District of California, case number BC346567 with copy of summons and complaint. Case assigned to Judge Margaret M. Morrow and referred to Discovery Suzanne H Segal. (Filing fee $ 250 PAID), filed by defendants Random House Inc, Doubleday and Company Inc. (jp,) (Entered: 02/27/2006)
02/21/2006	2	CERTIFICATION AS to Interested Parties filed by Defendants Random House Inc, Doubleday and Company Inc. (jp,) (Entered: 02/27/2006)
02/21/2006	3	NOTICE TO PARTIES OF ADR PILOT PROGRAM filed.(jp,) (Entered: 02/27/2006)
02/21/2006		FAX number for Attorneys Amy M Boomhouwer, Hector G Gancedo, Christopher Wren Taylor is 626-685-9808. (jp,) (Entered: 02/27/2006)
02/21/2006		FAX number for Attorneys Stephen G Contopulos, Rebecca Green Goldstein, Jennifer A Ratner is 213-896-6600. (jp,) (Entered: 02/27/2006)
02/21/2006		NOTICE OF FILING FEE DUE on Pro Hac Vice Application mailed to attorneys Michael C Andolina, Mark B Blocker, Marissa J Reich for Defendants Random House Inc, Doubleday and Company Inc. (jp,) (Entered: 02/27/2006)
02/21/2006	4	PROOF OF SERVICE to Adverse Party of Removal to Federal Court [1], was served on 2/21/2006 filed by defendants Random House Inc, Doubleday and Company Inc. (jp,) (Entered: 02/27/2006)
02/23/2006	5	PROOF OF SERVICE filed by defendants' Random House Inc, Doubleday and Company Inc, clerk's office services, notice to counsel, etc., was served on 2/22/06. (bp,) (Entered: 03/01/2006)
02/28/2006	6	NOTICE OF MOTION AND MOTION to Stay Case pending proceedings pending a decision by the judicial panel on multidistrict litigation or, alternatively, for an extension of time for responding to the complaint filed by defendants' Random House Inc, Doubleday and Company Inc. Motion set for hearing on 5/22/2006 at 10:00 AM before Judge Ronald S.W. Lew. (bp,) . (Entered: 03/02/2006)
02/28/2006	7	NOTICE of Related Case(s) filed by Defendants James Frey, Big Jim Industries Inc, Random House Inc, Doubleday and Company Inc. Related Case(s): CV 06-1029 RSWL (JTLx) (rn,) (Entered: 03/10/2006)
02/28/2006		MOTIONS MOTION to Stay Case pending proceedings pending a decision by the judicial panel on multidistrict litigation or, alternatively, for an extension of time for responding to the complaint MOTION for Order MOTION for Order[6] REFERRED to

		Judge Ronald S.W. Lew. (bp,) (Entered: [illegible])
03/08/2006		PREPARED ORDER RE TRANSFER Pursuant to General Order 224 (Related Case) by Clerk; related to CV 06-1029 RSWL (JTLx). (rn,) (Entered: 03/08/2006)
03/10/2006	8	MINUTES: The court advances the briefing schedule on defendants' motoin as follows: Any opposition by plaintiffs must be filed no later than 3/20/06. Any reply by defendants must be filed no later than 4/3/06. Judge Margaret M. Morrow : Court Reporter: N/A. (bp,) (Entered: 03/13/2006)
03/15/2006	9	ORDER RE TRANSFER PURSUANT TO GENERAL ORDER 224 -Related Case-filed. Related Case No: CV 06-1029 RSWL (JTLx). Case transfered from Judge Margaret M. Morrow and Suzanne H. Segal to Judge Ronald S.W. Lew and Jennifer T. Lum for all further proceedings. The case number will now reflect the initials of the transferee Judge CV 06-1030 RSWL (JTLx).Signed by Judge Ronald S.W. Lew (rn,) (Entered: 03/15/2006)
03/20/2006	10	CERTIFICATION of Interested Parties filed by Plaintiffs Garrett Hauenstein, Jean Taylor. (bp,) (Entered: 03/21/2006)
03/20/2006	11	NOTICE OF MOTION AND MOTION for Leave to amend complaint by joining defendants Kassie Evashevski and Brillstein-Grey Management, LLC filed by plaintiffs' Garrett Hauenstein, Jean Taylor. Motion set for hearing on 4/17/2006 at 09:00 AM before Judge Ronald S.W. Lew. Lodged proposed 1st A/C. (bp,) (Entered: 03/21/2006)
03/20/2006	12	NOTICE OF MOTION AND MOTION to Remand Case to State Court filed by plaintiff Garrett Hauenstein, Jean Taylor. Motion set for hearing on 4/17/2006 at 09:00 AM before Judge Ronald S.W. Lew. (bp,) (Entered: 03/21/2006)
03/20/2006	13	MEMORANDUM of Points and Authorities in Opposition to MOTION to Stay Case pending proceedings pending a decision by the judicial panel on multidistrict litigation or, alternatively, for an extension of time for responding to the complaint MOTION for Order MOTION for Order[6] filed by plaintiffs' Garrett Hauenstein, Jean Taylor. (bp,) (Entered: 03/21/2006)
03/21/2006	14	AMENDED NOTICE OF MOTION for Leave to amend complaint by joining defendants Kassie Evashevski and Brillstein-Grey Management, LLC[11] filed by plaintiff Jean Taylor. (bp,) (Entered: 03/22/2006)
03/21/2006	15	AMENDED NOTICE OF MOTION to Remand Case to State Court[12] filed by plaintiff Jean Taylor. (bp,) (Entered: 03/22/2006)
03/22/2006	16	MINUTES OF IN CHAMBERS ORDER by Judge Ronald S.W. Lew: This action has been reassigned to RONALD S. W. LEW, U.S. District Judge. The case number will now read: CV 06-1030-RSWL. Defendant's Motion to Stay [6] or, alternatively, for an extension of time for responding to the Complaint; Plaintiff's Motion for Leave to Amend Complaint [11]; and Plaintiff's Motion to Remand [12] are continued by this Court to MAY 1, 2006, at 9:00 a.m. Opposition documents are due 14 days before hearing. Replies are due 7 days before hearing. Counsel are ordered to appear on this date. This Court is located at: 312 N. Spring Street, Fifth Floor, Courtroom 21, Los Angeles, California, 90012. Court Reporter: Not Present. (kd) (Entered: 03/23/2006)
03/27/2006	17	EX PARTE APPLICATION for Order for advancing the hearing on defendants' motion to stay and deferring any briefing and hearing on plaintiffs' motions pending adjudication of the motion to stay filed by defendants' Random House Inc, Doubleday and Company Inc. Lodged proposed order. (bp,) (Entered: 03/28/2006)
03/27/2006	18	REPLY Brief in support of MOTION to Stay Case pending proceedings pending a decision by the judicial panel on multidistrict litigation or, alternatively, for an extension of time for responding to the complaint MOTION for Order MOTION to Stay Case

		pending proceedings pending a decision by the judicial panel on multidistrict litigation or, alternatively, for an extension of time for responding to the complaint MOTION for Order[6] filed by defendants' Random House Inc, Doubleday and Company Inc. (bp,) (Entered: 03/28/2006)
03/28/2006	20	OPPOSITION to EX PARTE APPLICATION for Order for advancing the hearing on defendants' motion to stay and deferring any briefing and hearing on plaintiffs' motions pending adjudication of the motion to stay[17] filed by plaintiff Garrett Hauenstein, Jean Taylor. (bp,) (Entered: 03/30/2006)
03/29/2006	19	ORDER: The court, having considered the submissions by the parties, and for good cause shown, hereby ORDERS as follows: The hearing date on defendants' motion for a stay is hereby advanced from 5/1/06 to 4/10/06 at 9:00 a.m. by Judge Ronald S.W. Lew. (bp,) (Entered: 03/29/2006)
04/07/2006	21	NOTICE of appearance of Matthew Oster filed by defendants' James Frey, Big Jim Industries Inc. (bp,) (Entered: 04/10/2006)
04/07/2006		***Attorney Matthew X Oster for James Frey and Big Jim Industries Inc added. (bp,) (Entered: 04/10/2006)
04/10/2006	22	MINUTES OF Motion Hearing held before Judge Ronald S.W. Lew: Court and counsel confer. The Court GRANTS Defendants Random House and Doubleday & Company's Motion to Stay Case pending proceedings pending a decision by the judicial panel on multidistrict litigation and DENIES extension of time for responding to the complaint. Defense counsel is to submit a proposed order for this Court pursuant to Local Rule 52-4. Counsel are to keep this Court apprised of the MDL ruling. Court Reporter: Donna Fitzsimons. (kd) (Entered: 04/12/2006)
04/10/2006		ORDER by Judge Ronald S.W. Lew: granting [6] Motion to Stay Case, denying [6] Motion for extension of time to respond to the complaint (kd) (Entered: 04/12/2006)
04/13/2006	23	ORDER: Defendants' motion to stay is granted; The instant case is stayed pending a decision by the judicial panel on multilitigation; Defendants wil advise the court when the JPML issues any order regarding this case; and defendants' alternative request for an extension of time for responding to the complaint is denied as moot by Judge Ronald S.W. Lew.(bp,) (Entered: 04/14/2006)
04/13/2006	24	ORDER: On 4/13/06, this court granted defendants' motion to stay proceedings in this matter until a decision regarding pretrial consolidation is made by the judicial panel on multi-district litigation. Plaintiffs currently have two motions that are pending on this court's calendar: a motion seeking leave to amend and a motion to remand the case to state court. In light of this court's stay, both of these motions are DENIED WITHOUT PREJUDICE. Plaintiffs may notice and bring these motions before the appropriate court once the JPML has rendered its decision by Judge Ronald S.W. Lew,, (Made JS-6. Case Terminated.)(bp,) (Entered: 04/14/2006)
05/26/2006	25	NOTICE to court re: status of MDL filed by defendants Random House Inc, Doubleday and Company Inc. (bp,) (Entered: 05/30/2006)
06/21/2006	27	NOTICE of MDL panel ruling filed by defendants' Random House Inc, Doubleday and Company Inc. (bp,) (Entered: 06/28/2006)
06/23/2006	26	CONDITIONAL TRANSFER ORDER from the Judicial Panel on Multidistrict Litigation MDL 1771, transferring case to USDC Southern District of New York assigned to Judge Richard J. Holwell. Original file, certified copy of the transfer order and docket sheet sent.(bp,) (Entered: 06/27/2006)
06/27/2006		TRANSMITTAL of documents: Mailed certified copy of transfer order, case file, court docket and transfer letters to the Southern District of New York. (bp,) (Entered:

06/29/2006)